

REMARKS

Applicant submits the within amendment in response to the Official Action mailed July 9, 2003.

Applicant respectfully requests reconsideration and allowance of claims 6 and 10-24 that are pending in the instant application. Applicant has amended claims 6 and 16, and has cancelled claims 7-9. No new matter has been added by these claim amendments. A petition for a one-month extension of the term for response to said Official Action, to and including November 9, 2003, is transmitted herewith.

Claims 6-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Jonsson*, U.S. Patent 5,746,120 in view of *Henderson*, GB 2,153,293. In this regard, claims 6 and 10-15 are directed to an apparatus for binding wire, while claims 16-24 are directed to a method for binding an object. Applicant has amended claims 6 and 16 to respond to this rejection.

Specifically, claim 6 has been amended to describe separate measuring means comprising a runner with a contact surface for contacting the wire with the contact surface having a substantially straight profile and where the measuring means includes a dolly roll for assuring that the runner and the wire remain in contact, the subject matter of cancelled dependent claims 7-9. The Examiner initially admits that *Jonsson* does not disclose a separate measuring device for the wire, as is specifically required by all of the pending claims. (Official Action at 2.) The Examiner refers to *Henderson* in an attempt to remedy this deficiency. *Henderson*, however, does not teach or suggest the features of the claims. For example, *Henderson* does not disclose separate measuring means comprising a runner including a contact surface having a substantially straight profile for contacting said wire and a dolly roll for assuring that said runner and said wire remain in contact, as recited in

claim 6. In this regard, *Henderson* only discloses a pulley 14 in contact with the twine 8; there is no disclosure in *Henderson* of a dolly roll acting in concert with a runner as claimed.

The rejection should also be withdrawn as to claims 10-15, inasmuch as each of these claims depends, directly or indirectly, from claim 6. By the present amendment, applicant has canceled claims 7-9.

With regard to method claim 16, applicant has amended the claim to describe measuring means that comprise initiating contact between a runner having a contact surface with a substantially straight profile to a wire, and maintaining the runner in contact with the wire by using a dolly roll. *Henderson* does not teach or suggest such a feature. As previously noted, *Henderson* only discloses a pulley 14 in contact with the twine 8. There is no disclosure in *Henderson* of a dolly roll acting in concert with a runner as claimed. As *Henderson* does not disclose the features of amended claim 16, applicant submits that the rejection should be withdrawn.

The rejection should also be withdrawn as to claims 17-24, inasmuch as each of these claims depends, directly or indirectly, from claim 16.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 14, 2003

Respectfully submitted,

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